

## 1 UNITED STATES DISTRICT COURT

2 Northern District of California

3

4 RAYMOND J. CASTAIN,

No. C 11-1816 MEJ

5 Plaintiff,

6 v.

7 **ORDER TO SHOW CAUSE**

8 MICHAEL J. ASTRUE,

9 Defendant.

10 On February 7, 2012, the Court granted Marc Kalagian's Motion to Withdraw as Attorney of  
11 Record for Plaintiff Raymond Castain. Dkt. No. 25. Pursuant to the Court's order, Mr. Kalgian sent  
12 Plaintiff a copy of the order and a joint statement acknowledging receipt of the order via certified  
13 return receipt. Dkt. No. 26. Although Plaintiff signed for this letter on February 13, 2012, he did  
14 not return the joint statement to Mr. Kalagian for filing. *Id.*, Ex. 2.15 On February 23, 2012, the Court issued a notice to Plaintiff that it was satisfied that he had  
16 received notice of Mr. Kalagian's withdrawal and that the case would proceed on the merits. Dkt.  
17 No. 27. The Court ordered Plaintiff to serve and file a motion for summary judgment or for remand  
18 by March 20, 2012. *Id.* Plaintiff has failed to comply with this deadline. Accordingly, the Court  
19 hereby ORDERS Plaintiff Raymond Castain to show cause why this case should not be dismissed  
20 for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration  
21 by May 3, 2012. If Plaintiff files a responsive declaration, the Court shall either issue an order based  
22 on the declaration or conduct a hearing on May 17, 2012 at 10:00 a.m. in Courtroom B, 15th Floor,  
23 450 Golden Gate Avenue, San Francisco, California. If Plaintiff fails to file a responsive  
24 declaration, Plaintiff is hereby informed that the Court may dismiss the case without a hearing.  
25 Thus, it is imperative that Plaintiff file a written response by the deadline above.26 **IT IS SO ORDERED.**

27 Dated: April 17, 2012

28

  
Maria-Elena James  
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

RAYMOND J. CASTAIN,

Plaintiff,

Case Number: CV11-01816 MEJ

V.

MICHAEL J. ASTRUE et al.,

Defendant.

## **CERTIFICATE OF SERVICE**

7 MICHAEL J. ASTRUE et al,  
8 Defendant.  
\_\_\_\_

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

11 That on April 17, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said  
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
located in the Clerk's office.

14 | Raymond J. Castain  
15 | 21095 Gary Drive, Apt. # 106  
| Hayward, CA 94546

17 || Dated: April 17, 2012

Richard W. Wiking, Clerk  
By: Rose Maher, Deputy Clerk